

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

GREGORY G. WHITE,

Case No. 3:15-cv-092

Petitioner,

v.

Judge Thomas M. Rose
Magistrate Judge Michael R. Merz

RHONDA RICHARDS, Warden,
Madison Correctional Institution,

Respondent.

**ORDER OVERRULING WHITE'S OBJECTIONS (DOC. 16) TO THE REPORTS
AND RECOMMENDATIONS ENTERED ON JULY 21, 2015 (DOC. 12) AND
JULY 22, 2015 (DOC. 14); OVERRULING WHITE'S OBJECTIONS (DOC. 19) TO
THE SUPPLEMENTAL REPORT AND RECOMMENDATIONS ENTERED
AUGUST 21, 2015 (DOC. 18); ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATIONS ENTERED JULY 21, 2015 (DOC. 12),
REPORT AND RECOMMENDATIONS ENTERED JULY 22, 2105 (DOC. 14),
AND SUPPLEMENTAL REPORT AND RECOMMENDATIONS ENTERED
AUGUST 21, 2015 (DOC. 18) IN THEIR ENTIRETY;
AND TERMINATING THIS CASE**

This habeas corpus case is before the Court on the Objections (Docs. 16, 19) filed by Petitioner Gregory G. White ("White") to the Magistrate Judge's Report and Recommendations entered July 21, 2015 (Doc. 12), Report and Recommendations entered July 22, 2015 (Doc. 14), and Supplemental Report and Recommendations entered August 21, 2015 (Doc. 18). The Magistrate Judge has recommended that the Court exercise jurisdiction over this case and dismiss White's petition for relief pursuant to 28 U.S.C. § 2254 with prejudice.

As required by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the Court has made a *de novo* review of the record in this case. Upon said review, the Court finds that White's Objections (Docs. 16, 19) to the Report and Recommendations entered July 21, 2015 (Doc. 12),

Report and Recommendations entered July 22, 2015 (Doc. 14), and Supplemental Report and Recommendations entered August 21, 2015 (Doc. 18) are not well taken and they are hereby **OVERRULED**. The Court **ADOPTS** in their entirety the Report and Recommendations entered July 21, 2015 (Doc. 12), the Report and Recommendations entered July 22, 2015 (Doc. 14), and the Supplemental Report and Recommendations entered August 21, 2015 (Doc. 18).

Accordingly, the Court rules as follows:

- This Court has jurisdiction over this matter, as White's petition does not constitute a second or successive habeas corpus petition barred by 28 U.S.C. § 2244;
- The Court **DENIES** White's Motion for Summary Judgment (Doc. 13);
- The Court **DISMISSES WITH PREJUDICE** White's petition for habeas corpus relief (Doc. 1);
- Because reasonable jurists would not disagree with the Court's decision, White should be **DENIED** a certificate of appealability;
- The Court **CERTIFIES** to the Sixth Circuit that any appeal would be objectively frivolous and therefore White should not be permitted to proceed *in forma pauperis*; and
- The Clerk is **ORDERED** to terminate this case on the docket of this Court.

DONE and **ORDERED** in Dayton, Ohio, this Thursday, October 1, 2015.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE